

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

ANGELA R. WILLIAMS, KELLEY K.	)	
FOXWORTH, and ZAKKIYYAH C. HOLMES	)	
(Counter-Defendant),	)	
	)	
Plaintiffs,	)	Civil No. 3:08-1007
	)	Judge Trauger
v.	)	
	)	
SELECT SPECIALTY HOSPITAL-NASHVILLE,	)	
INC.,	)	
	)	
Defendant/Counter-Plaintiff.	)	

**ORDER**

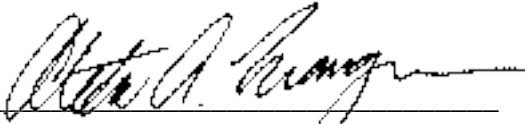
On December 2, 2009, the Magistrate Judge issued a Report and Recommendation (Docket No. 50), to which no timely objections have been filed. The Report and Recommendation is therefore **ACCEPTED** and made the findings of fact and conclusions of law of this court. For the reasons expressed therein, it is hereby **ORDERED** that the Motion to Dismiss filed by the defendant (Docket No. 42) is **GRANTED**, and the claims of plaintiffs Angela R. Williams, Kelley K. Foxworth and Zakkiyyah C. Holmes are **DISMISSED WITH PREJUDICE**. It is further **ORDERED** that the defendant's request for default against plaintiff Holmes on the defendant's Counterclaim is **DENIED**, and the defendant's Counterclaim against plaintiff Holmes is **DISMISSED WITHOUT PREJUDICE**.

The trials of these claims scheduled for March 2 and March 30, 2010, and the accompanying pretrial conferences scheduled for February 26, 2010 and March 26, 2010 are **CANCELLED** and removed from the court's calendar.

The Bill of Costs filed by the defendant (Docket No. 56) will be handled by the Clerk.  
The defendant's Notice of Attorney's Fees and Expenses (Docket No. 57) is **REFERRED** to  
Magistrate Judge Griffin for disposition under 28 U.S.C. § 636(b)(1) and Rule 72, FED.R.CIV.P.

It is so **ORDERED**.

ENTER this 7th day of January 2010.

  
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ALETA A. TRAUGER  
U.S. District Judge